

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 22-cv-23346-BLOOMTorres

AM CRESPI MIAMI, LLC,

Plaintiff,

v.

CENTURY SURETY COMPANY,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS**

THIS CAUSE is before the Court upon Defendant Century Surety Company's Motion for Entitlement to Attorneys' Fees and Non-Taxable Costs Against the Plaintiff and Motion to Suspend Time Limitations of Local Rule 7.3 ("Motion"), ECF No. [50]. The Court referred the Motion to Chief Magistrate Judge Edwin Torres for a Report and Recommendation. *See* ECF No. [54]. On February 19, 2024, Judge Torres issued a R&R recommending that Defendant's Motion be granted. Judge Torres applied the statute in effect when the Policy was issued and concluded that Defendant is entitled to attorneys' fees and costs incurred from March 31, 2023, the date Defendant's Offer of Judgment was served, pursuant to Fla. Stat. § 768.79. ECF No. [55]. The R&R advised the parties that objections to the R & R may be filed with the District Judge within fourteen days of receipt of a copy of the report. *Id.* at 15. To date, neither party has filed objections, nor sought additional time to file objections. The Court has, nonetheless, conducted a *de novo* review of the R&R and the record and is otherwise fully advised in the premises. *See Williams v. McNeil*, 557 F.3d 1287, 1291 (11th Cir. 2009) (citing 28 U.S.C. § 636(b)(1)).

Case No. 22-cv-23346-BLOOM/Torres

Upon review, the Court finds Judge Torres' R&R to be well reasoned and correct. The Court agrees with the analysis in the R&R and concludes that Defendant's Motion must be granted for the reasons set forth therein.

For the foregoing reasons, it is **ORDERED AND ADJUDGED** as follows:

1. The R&R, **ECF No. [55]**, is **ADOPTED**; and
2. Defendant Century Surety Company's Motion for Entitlement to Attorneys' Fees and Non-Taxable Costs Against the Plaintiff and Motion to Suspend Time Limitations of Local Rule 7.3, **ECF No. [50]**, is **GRANTED**.

DONE AND ORDERED in Chambers at Miami, Florida, on March 7, 2024.



BETH BLOOM
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of record